

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 17 June 1998
Name of applicant/court: The District Court at Auckland
Applicant to the Labelling Body: Not Applicable
Title of Publication: N980215
Other Known Titles: Examination Disc N980215
Director: Not Applicable
Producer: Not Applicable
Publisher: Not Applicable
Author: Not Applicable
Format: CD-ROM (non-film)
Country of Origin: New Zealand
Language: English

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Components of film originally examined:

Feature:	Not Applicable	Running time:
Trailers:		Running time:
		Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

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Not Applicable.

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Direction to issue a label has been given on Not Applicable

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SUMMARY OF THE REASONS FOR DECISION:

The CD-ROM (non-film) *N980215* is classified as:
Objectionable.

The CD-ROM has been produced by the New Zealand Police Electronic Crime Laboratory for classification purposes. The CD-ROM is said to represent and contain the contents of a "Western Digital" computer hard disc drive. It contains approximately 390 files.

The CD-ROM contains numerous photographic images explicitly depicting children and young persons, who with one exception are male, engaging in sexual activity with each other. It also contains numerous images of pre-pubescent boys, as well as some older male teenagers, posing naked with their genitalia clearly visible. These images all present as being intended for the sexual arousal of the viewer.

The CD-ROM contains stories, in text files, which explicitly describe sexual activity between teenage boys in a manner designed to sexually arouse the reader. There are also other text files, including email messages, which refer to sexual activity or nudity involving boys. Such text files tend to present boys as being appropriate sexual partners for adults as well as presenting boys as being an acceptable source of adult sexual arousal.

The images and text files, referred to above, have the effect of promoting the sexual characteristics of children to an adult audience. Viewers are effectively encouraged and invited to be sexually aroused by children and young persons. Children and young persons are implicitly presented as desirable, viable and legitimate sexual partners. The collective effect of these files is such that the CD-ROM promotes and supports the exploitation of children and young persons for sexual purposes as outlined under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993.

Because s3(2) is a deeming provision, it is inconsistent with the rights and freedoms contained in s14 of the New Zealand Bill of Rights Act 1990 and overrides that section.

OFLC Ref: 9800603